

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS

CASE NUMBER:
OH160010

VIOLATOR:
Merle Miller

Customer# 329840
License# 31-A-0463

ADDRESS (Street, City, State, ZIP Code):
9620 TR 560
Holmesville, OH 44633

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed violations of the following sections of the Code of Federal Regulations, Title 9:

Date(s): March 03, 2016 and July 15, 2015

§ 2.40(b)(2) - Attending veterinarian and adequate veterinary care (dealers and exhibitors). (DIRECT)

Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

§ 2.40(b)(3) - Attending veterinarian and adequate veterinary care (dealers and exhibitors). (DIRECT)

Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: daily observation of all animals to assess their health and well-being; Provided, however, That daily observation of animals may be accomplished by someone other than the attending veterinarian; and Provided, further, That a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian.

§ 2.50(a) - Time and method of identification.

A class "A" dealer (breeder) shall identify all live dogs and cats on the premises.

§ 3.1(c)(3) - Housing facilities, general.

Cleaning. Hard surfaces with which the dogs or cats come in contact must be spot-cleaned daily and sanitized in accordance with § 3.11(b) of this subpart to prevent accumulation of excreta and reduce disease hazards. Floors made of dirt, absorbent bedding, sand, gravel, grass, or other similar material must be raked or spot-cleaned with sufficient frequency to ensure all animals the freedom to avoid contact with excreta. Contaminated material must be replaced whenever this raking and spot-cleaning is not sufficient to prevent or eliminate odors, insects, pests, or vermin infestation. All other surfaces of housing facilities must be cleaned and sanitized when necessary to satisfy generally accepted husbandry standards and practices. Sanitization may be done using any of the methods provided in § 3.11(b)(3) for primary enclosures.

§ 3.11(a) - Cleaning, sanitization, housekeeping, and pest control.

Cleaning of primary enclosures. Excreta and food waste must be removed from primary enclosures daily, and from under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent soiling of the dogs or cats contained in the primary enclosures, and to reduce disease hazards, insects, pests and odors. When steam or water is used to clean the primary enclosure, whether by hosing, flushing, or other methods, dogs and cats must be removed, unless the enclosure is large enough to ensure the animals would not be harmed, wetted, or distressed in the process. Standing water must be removed from the primary enclosure and animals in other primary enclosures must be protected from being contaminated with water and other wastes during the cleaning. The pans under primary enclosures with grill-type floors and the ground areas under raised runs with mesh or slatted floors must be cleaned as often as necessary to prevent accumulation of feces and food waste and to reduce disease hazards pests, insects and odors.

§ 3.11(d) - Cleaning, sanitization, housekeeping, and pest control.

Pest control. An effective program for the control of insects, external parasites affecting dogs and cats, and birds and mammals that are pests, must be established and maintained so as to promote the health and well-being of the animals and reduce contamination by pests in animal areas.

The above is not intended to be an all-inclusive list. Please know that you are responsible for ensuring that your facility, animals, and property are in compliance with the Animal Welfare regulations. Inspection reports can be found on APHIS' website at:

<https://acissearch.aphis.usda.gov/LPASearch/faces/Warning.jspx>.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name): Gerald Rushin		OFFICE ADDRESS: 4700 River Road Riverdale, MD 30737	
APHIS OFFICIAL (TITLE): Assistant Deputy Administrator Animal Care		DATE ISSUED: May 26, 2016	TELEPHONE NO: (919) 855-7116
CERTIFIED MAIL RECEIPT NO: 7015 1520 0002 8261 0864			